

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America  
v.  
Zachary William Lomelin,

Case No. Case: 4:21-mj-30050  
Judge: Unassigned,  
Filed: 01-25-2021 At 11:02 AM  
CMP USA v. Zachary William Lomelin (krc)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 27, 2020, January 5 & 24, 2021 in the county of Genesee in the  
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 2252A(1)	Transportation of Child Pornography
18 U.S.C. § 2252A(a)(5)(B)	Possession of Child Pornography

This criminal complaint is based on these facts:

That on or about November 27, 2020 and January 5 & 24, 2021, the defendant, Zachary William Lomelin, violated 18 U.S.C. § 2252A(1) (Transportation of Child Pornography) and 18 U.S.C. § 2252A(a)(5)(B) (Possession of Child Pornography)

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: January 25, 2021

City and state: Bay City, Michigan

  
Complainant's signature

Evan Zapolski, Task Force Officer, FBI  
Printed name and title

  
Judge's signature

Patricia T. Morris, United States Magistrate Judge  
Printed name and title

**COMPLAINT AFFIDAVIT**

I, Evan Zapolski, being duly sworn, state:

1. I am employed as a Detective Trooper (D/Tpr.) with the Michigan State Police and a Task Force Officer (TFO) of the Federal Bureau of Investigation (FBI), and have been so employed since May 2013. I have been assigned to the Michigan State Police Internet Crimes Against Children Taskforce since February 2017, and have been a Task Force Officer with the FBI's Northeast Michigan Trafficking & Exploitation Crimes Taskforce since March 2019. I have received training in the area of child pornography and child exploitation and have observed and reviewed numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media including computer media. I have been involved with several investigations regarding child pornography and the exploitation of children through the internet.

2. This Affidavit is submitted in support of a complaint and arrest warrant for Zachary William Lomelin. It is my opinion there exists probable cause to believe Lomelin has violated 18 U.S.C. § 2252A(1) (Transportation of Child Pornography) and 18 U.S.C. § 2252A(a)(5)(B) (Possession of Child Pornography). This Affidavit is intended to show only sufficient probable cause for the requested order and does not set forth all of my knowledge about this matter. In addition, the information contained in this affidavit is based on personal knowledge, training and experience, and on information made available to me by other law enforcement officers.

3. On or about January 21, 2021, the National Center for Missing and Exploited Children (NCMEC) received cyber-tips from Yahoo! Inc. The following account was reported because the suspect uploaded child pornography files as email attachments. The suspect account is described below:

Name: bill Lincoln

Date of Birth: 05-25-1988

Email Address: newport1188@yahoo.com

4. As a part of this tip, NCMEC also provided IP addresses used by the newport1188@yahoo.com with some of those as follows:

IP Address: 2601:403:c380:d800:6c3e:1c12:1b46:c26a (Login)

01-06-2021 00:24:39 UTC

IP Address: 2601:403:c380:d800:6166:65d7:2de0:efea (Login)

01-05-2021 19:53:28 UTC

5. The user of the Yahoo email address newport1188@yahoo.com, hereinafter referred to as “the Yahoo Account,” sent emails from the Yahoo Account to the Yahoo Account on November 27, 2020 and January 5, 2021 that had child pornography as attachments.

6. On November 27, 2020, the Yahoo Account sent at least one email to the Yahoo Account that had a capital letter of the alphabet as the subject line. The email had four image file attachments. The images depict a close-up of an early pubescent child’s vagina. In three images, fingers are observed spreading open the vagina. The child appears to be wearing underwear that has clouds and rainbows. The underwear is pushed to the side.

7. On January 5, 2021, the Yahoo Account sent at least one email containing child pornography file attachments to the Yahoo Account. In one of the files, a prepubescent female child appears to be sleeping. She is wearing a shirt and her underwear has been pulled down. A hand can be seen touching her bare vagina. Three files sent on January 5, 2021, depict previously identified children being sexually assaulted.

8. On January 24, 2021, Comcast advised the IP addresses listed in paragraph 4 were associated with an account located at an address in Genesee County, Michigan (the “Residence”).

9. I received other IP Address information from Yahoo!, one of which included an IP address that went to a different location several years ago to open the account, as well as an IP address that appears to be a different location in December 2020. However, the IP address information from January 5, 2021, matches the Residence, an address associated with Zachary Lomelin, and is associated with the transportation of child pornography, as described further below. There are other reported IP addresses for the Yahoo Account that I have yet to determine the location of, but two IP addresses are associated with the Residence ---including one time where child pornography was transported less than three weeks ago.

10. According to the Yahoo analyst compiling the NCMEC Tip, they reviewed some of the non-pornographic images in the Yahoo Account. They reported the Yahoo Account received an email from zaklomelin@gmail.com. The email sent from zaklomelin@gmail.com to the Yahoo Account had an image file attachment that depicted a Zachary Lomelin. Also, the Yahoo! email address in the NCMEC tip is newport1188@yahoo.com and I searched Michigan Secretary of State records and discovered that Zachary Lomelin’s date of birth is 1/1/1988, matching with the numbers of the email address.

11. I reviewed the public Facebook profile for “Zak Lomelin,” which contained photos of Lomelin that were consistent with his Michigan Secretary of State photograph, and the public Facebook profiles of associates of Lomelin, and observed that Lomelin appeared to have regular access to children. At least one of these children is female and of an age consistent with the age

of the unidentified female child in the images described in paragraph 6, and has a first initial that is the same as that used in the subject line of the email described in paragraph 6.

12. The content of the image sent in November 2020 described above appears more likely to me to be images manufactured by an individual than downloaded on the internet. I am familiar with “series” images of children, have investigated numerous cases where individuals obtain images from the internet, and have also investigated numerous cases involving individuals that have produced child pornography. The information from my review of Facebook accounts and the nature of the images sent leads me to believe that the images sent here involve the production of child pornography.

13. The State of Michigan Secretary of State reports that Lomelin and two other adults are registered at the Residence.

14. On January 24, 2021, I obtained a warrant to search the Residence. Prior to executing the residence, Zachary Lomelin left the residence with a female in a car and officers stopped the car. Officers detained Lomelin. An Apple iPhone model A2161, hereinafter referred to as The Device, was found on Lomelin’s person and placed in the car. The female drove the car back to the Residence and officers took custody of the Device. The female confirmed to officers that the Device belonged to Lomelin.

15. At the time of the search, officers spoke with a second female at the Residence, who was one of the individuals registered at the Residence with the Michigan Secretary of State. She indicated that the only adult residents of the Residence were Lomelin, the second female and her boyfriend, and the first female. Officers also spoke with the second female’s boyfriend, who stated that he had only been residing at the address for less than two weeks.

16. The first female denied knowledge of the underwear shown in the child pornography found on the Yahoo Account. The second female also initially denied knowledge of the underwear. However, subsequently, the second female told officers that she recognized the underwear and that it belonged to a female child to whom Lomelin had access. a.

17. Officers conducted a manual preview of the cellular phones belonging to the first female, the second female, and the second female's boyfriend, and no child pornography was observed.

18. Lomelin initially agreed to speak to officers but requested an attorney when informed that the case was about children. He refused to provide consent to search the Device.

19. On January 24, 2021, I obtained a search warrant for the Device. I located three files of child pornography on the Device that were previously reported in the original NCMEC tip, as described in paragraph 7. The three files are .gif files. A .gif file is an image file saved in the Graphical Interchange Format. A .gif file is essentially a short video clip that automatically repeats. One of the files depicts a female child, possibly around 10-12 years old, with an adult male. The adult male has his hand in the child's underwear and appears to be touching her vagina. The child is observed masturbating the adult male's erect penis. Another file depicts an erect adult penis rubbing a nude prepubescent vagina.

20. I also observed that the account [newport1188@yahoo.com](mailto:newport1188@yahoo.com) was used on the Device to log in to a Tumblr user account and a Plenty of Fish user account. The passwords for both accounts were saved to the device. The passcode for the Plenty of Fish account is a variation of the name of a child to which Lomelin has access, and the passcode for the Tumblr account is a variation of "Lomelin."

21. Based upon the foregoing information, I believe that probable cause exists that Lomelin is the user of the Device and of the Yahoo Account [newport1188@yahoo.com](mailto:newport1188@yahoo.com), and that Lomelin

has violated 18 U.S.C. § 2252A(1) (Transportation of Child Pornography) and 18 U.S.C. § 2252A(a)(5)(B) (Possession of Child Pornography) in the Eastern District of Michigan. Accordingly, I ask the Court to issue a criminal complaint and arrest warrant for Zachary William Lomelin.

Respectfully submitted,



---

Evan Zapolski  
Task Force Officer  
FBI

This affidavit was submitted and received by reliable electronic means, and was attested to by the affiant telephonically.

Subscribed and sworn to before me on the 25 day of January, 2021



---

Hon. Patricia T. Morris  
United States Magistrate Judge